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# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR RESPONDING TO FILE SYSTEM REQUESTS

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as

Application Serial No. 0 /

and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:


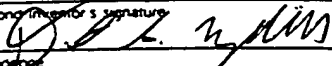
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

**Send Correspondence to:**

Ansel M. Schwartz

412/621-9222

Direct Telephone Calls to: (name and telephone number)

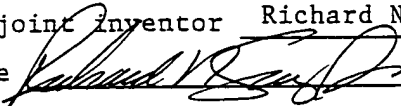
Full name of sole or first inventor Michael L. Kazar	
Inventor's signature 	Date 12/4/2000
Residence 1233 Shady Avenue, Pittsburgh, PA 15232	
Citizenship United States	
Post Office Address 1233 Shady Avenue, Pittsburgh, PA 15232	
Full name of second joint inventor, if any Daniel S. Nydick	
Second inventor's signature 	Date 12/4/00
Residence 2569 Barnwood Drive, Wexford, PA 15090	
Citizenship United States	
Post Office Address 2569 Barnwood Drive, Wexford, PA 15090	

Form PTO-FB-119 (8-83)

Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

ADDED PAGE TO DECLARATION AND POWER OF ATTORNEY FOR PATENT  
APPLICATION - THIRD AND SUBSEQUENT JOINT INVENTORS

Full name of third joint inventor Richard N. Sanzi, Jr.

Inventor's signature 

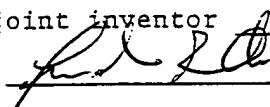
Date: 12/4/2000

Residence 2659 Ravenwood Court, Wexford, PA 15090

Citizenship United States

Post Office Address 2659 Ravenwood Court, Wexford, PA 15090

Full name of fourth joint inventor Fred Gohh

Inventor's signature 

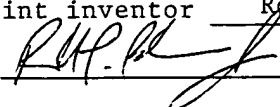
Date: 12/4/00

Residence 2353 West Gate Drive, Pittsburgh, PA 15237

Citizenship Canada

Post Office Address 2353 West Gate Drive, Pittsburgh, PA 15237

Full name of fifth joint inventor Ronald P. Bianchini, Jr.

Inventor's signature 


Date: 12/4/00

Residence 326 Olde Chapel Trail, Pittsburgh, PA 15238

Citizenship United States

Post Office Address 326 Olde Chapel Trail, Pittsburgh, PA 15238

Full name of sixth joint inventor Benjamin Speiser

Inventor's signature 

Date: 12/4/00

Residence 138 Westland Drive, Pittsburgh, PA 15217

Citizenship United States

Post Office Address 138 Westland Drive, Pittsburgh, PA 15217

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 C.F.R. § 1.63(e)).

<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:</b>				
<b>U.S. APPLICATIONS</b>		<b>Status</b>		
<b>U.S. APPLICATIONS</b>	<b>U.S. FILING DATE</b>	<b>Patented</b>	<b>Pending</b>	<b>Abandoned</b>
1. 09/732,121	07 DEC 00		X	

☒ Applicant Michael L. Kazar,  
et al. ☐ Patentee \_\_\_\_\_  
☐ Application No. \_\_\_\_\_ ☐ Patent No. \_\_\_\_\_  
☐ Filed on \_\_\_\_\_ ☐ Issued on \_\_\_\_\_  
Title: METHOD AND SYSTEM FOR RESPONDING TO FILE SYSTEM REQUESTS

**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern Spinnaker Networks, Inc.  
Address of Small Business Concern 107 Gamma Drive, Pittsburgh, PA 15238

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)

Each such person, concern or organization having any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern or organization is listed below.

Name \_\_\_\_\_

Address \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name \_\_\_\_\_

Address \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

(check the following item, if desired)

NOTE: The following verification statement need not be made in accordance with the rules published on Oct. 10, 1997, 62 Fed. Reg. 52,131, effective Dec. 1, 1997.

NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 C.F.R. § 1.4(d)(2).

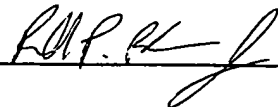
☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing Ronald P. Bianchini, Jr.

Title of Person if Other Than Owner President

Address of Person Signing Spinnaker Networks, Inc., 107 Gamma Drive,  
Pittsburgh, PA 15238

SIGNATURE



Date

12/4/00